

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CAPITAL POWER CORPORATION,)	
ET AL.,)	
)	
Petitioners,)	
)	
v.)	No. 23-1134
)	(consolidated with Nos. 23-1135,
FEDERAL ENERGY REGULATORY)	23-1136, 23-1231, 23-1233, and
COMMISSION,)	23-1234)
)	
Respondent.)	
)	

**MOTION TO CEDE INTERVENOR FOR
PETITIONERS' ARGUMENT TIME TO PETITIONERS**

Intervenors for Petitioners in these consolidated cases – American Clean Power Association, Solar Energy Industries, Association, Wolverine Power Supply Cooperative, Inc., Sugar Creek Wind One LLC, Deerfield Wind Energy, LLC, Deerfield Wind Energy 2, LLC, and Odell Wind Farm, LLC – move pursuant to Fed. R. App. P. 27(b) and D.C. Circuit Rules 27 and 34 to cede to Petitioners the five minutes of oral argument time allotted to them. Petitioners have been informed of this motion and agree with it.

The Court's Order of September 17, 2024, allocated argument time in these consolidated cases as follows: Petitioners – 10 minutes; Petitioner-Intervenors – 5 minutes; Respondent – 10 minutes; Respondent-Intervenors – 5 minutes. Intervenor-Petitioners believe their position can be adequately presented at oral

argument by allocating their five minutes of time to Petitioners, and Petitioners are prepared to address all issues raised in the brief of the Intervenor Petitioners.

Accordingly, Intervenors for Petitioners respectfully request that the Court allocate their five minutes of oral argument time to Petitioners.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this motion complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) because it contains 386 words, excluding the parts exempted by Rule 37. I further certify that the motion complies with the typeface and type-style requirements of Fed. R. App. 32(a)(5)-(6) because it has been prepared in a proportionally spaced typeface using Times New Roman 14-point type.

/s/ Neil H. Koslowe
Neil H. Koslowe

*Counsel for Intervenor-Petitioner
Wolverine Power Supply Cooperative, Inc.*

Dated: September 19, 2024

CERTIFICATE OF SERVICE

I certify that, pursuant to Fed. R. App. P. 25(d) and Circuit Rule 25(a), that, on September 19, 2024, I caused to be served a copy of the foregoing document upon the counsel listed in the service list for these consolidated cases using the Court's CM/ECF system.

/s/ Neil H. Koslowe
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*Counsel for Intervenor-Petitioner
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Dated: September 19, 2024